UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _04 September 2007_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-12,15-19,24-35 and 38-43_ is/are pending in the application.

    4a) Of the above claim(s) _4,12,15,16,27 and 35_ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-3,5-11,17-19,24-26,28-34 and 38-43_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Restriction/election

1.   This application contains claims 4, 12, 15, 16, 27 and 35 drawn to an invention

nonelected with traverse in the reply filed on Paper Dated 3/12/07 election of Species b

aa and bbb.   A complete reply to the final rejection must include cancellation of

nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Claim Objections

2.   Claims 4, 12, 15, 16, 27 and 35 are objected to because of the following

informalities:

        Claims 4, 12, 15, 16, 27 and 35 have been withdrawn due to elections as

directed in the last office action dated 6/4/07. The claims should be labeled as

"Withdrawn" not "Original" or "Previously Presented".

        Appropriate correction is required.

Claim Rejections - 35 USC § 112

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

4.   Claims 1-3, 5-11, 17-19, 24-26, 28-34, 38-43 are rejected under 35 U.S.C. 112,

second paragraph, as being indefinite for failing to particularly point out and distinctly

claim the subject matter which applicant regards as the invention.

        Claim 1 recites the limitation "and responsive to the pointer element" in line 8.

This is confusing. What is responsive to the pointer element? Clarify. The same

rejection applies to claim 24, line 9 and claim 43 line 12.

Claim 9 recites the limitation "one of ...(ii) a user input command to display the

second hover element" in line 2-3. This is confusing. The amended independent claim

1 states that the "invoking a second hover element...responsive to the pointer element

continuing to be positioned over." Claim 1 specifies that the limitation (ii) of claim 9

cannot be a valid event choice. The same rejection applies to claims 19, 32 and 42

regarding the limitation under choice (ii) not being valid with the amended respective

independent claims.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6.   Claims 1-3, 5-11, 17-19, 24-26, 28-34, 38-43 are rejected under 35 U.S.C. 102(b)

as being anticipated by Clark et al. (5995101).

Re claim 1, Clark et al. discloses a method of displaying hover assistance on a

display screen, comprising: moving a pointer element to a position over a user interface

element shown on the display screen in response to user manipulation of a pointing

device (cursor pointed to an area, provides information element, see abstract for

example); while the pointer element is positioned over the user interface element,

invoking a first hover element for display on the display screen (provides a first level of information, see abstract for example); and invoking a second hover element (provides a subsequent level of information, see abstract for example) for display on the display screen after invoking the first hover element, and responsive to the pointer element continuing to be positioned over the user interface element ("if the user continues to point to the area of interest", see latter portion of last sentence of abstract for example).

Re claim 2, Clark et al. discloses a method, wherein the second hover element provides more detail regarding the user interface element relative to the first hover element ("in addition to a detailed textual description of the icon's function, the second-level tip may provide a no-textual description", see column 2 lines 47-50 according to the numbering in the middle for example).

Re claim 3, Clark et al. discloses a method, further comprising displaying the first and second hover elements simultaneously for a period of time and while the pointer element continues to be positioned over the user interface element ("the tool tips may be displayed concurrently", see column 4 lines 28-30 according to the numbering in the middle for example).

Re claim 5, Clark et al. discloses a method, further comprising: removing the pointer element from the position over the user interface element; and removing from display at least one of the first hover element and the second hover element upon removing the pointer element (see column 3 lines 25-28 for example).

Re claim 6, Clark et al. discloses a method, wherein the first hover element and the second hover element comprise help text specific to the user interface element (see abstract and figures 1 and 2 for example).

Re claim 7, Clark et al. discloses a method, wherein the first hover element and the second hover element are displayed in a single text box (see figure 2, if first hover element is "tool tip" from figure 1, then figure 2 element 60 has more information including "tool tip" for example).

Re claim 8, Clark et al. discloses a method, wherein at least one of the first hover element and the second hover element comprises information that is generated using at least one of a flash, video, audio, extensible markup language (XML) and hypertext generation tool (audio/visual clip, see column 2 lines 47-50 and line 59 according to the numbering in the middle for example).

Re claim 9 (as best understood), Clark et al. discloses a method, wherein invoking the second hover element occurs after one of (i) expiration of a predefined period of time and (ii) a user input command to display the second hover element, whichever occurs first (see column 2 lines 35-38 for example).

Re claim 10, Clark et al. discloses a method, wherein invoking the first hover element occurs after expiration of a first predefined period of time (see column 1 lines 21-23 for example) and invoking the second hover element occurs after expiration of a second predefined period of time (see column 2 lines 35-38, column 3 line 15 for example), wherein the first predefined period of time is shorter than the second predefined period of time (half second and 4 seconds for example) and wherein

expiration of both the first predefined period of time and the second predefined period of

time are calculated from the same event (Clark et al. starts with "Detect Cursor enter

area" than later has a loop for time determination or interval just as figure 6 of applicant

starts with "Detect mouse pointer at position over icon" and then later has a loop for the

time determination; see figure 4 for example).

Re claim 11, Clark et al. discloses a method, wherein the same event is

detecting the pointer element at the position over the user interface element (Clark et al.

starts with "Detect Cursor enter area" than later has a loop for time determination or

interval just as figure 6 of applicant starts with "Detect mouse pointer at position over

icon" and then later has a loop for the time determination; see figure 4 for example).

Re claim 17, Clark et al. discloses a method, further comprising successively

invoking a plurality of hover elements after invoking the second hover element (a

multimedia clip, audio and visual, would be displaying of multiple hover elements).

Re claim 18, Clark et al. discloses a method, wherein each successive hover

element of the plurality of hover elements provides more detail regarding the user

interface element relative to each previous hover element (even more detailed , see

column 2 lines 55-57 and abstract for example).

Re claim 19, Clark et al. discloses a method, wherein invoking of each

successive hover element occurs after one of (i) expiration of a predefined period of

time and (ii) a user input command to display the successive hover element, whichever

occurs first (see column 2 lines 35-38 for example).

Re claim 24, Clark et al. discloses a computer readable storage medium containing a program which, when executed, performs an operation of displaying hover assistance on a display screen (see abstract and figure 1 for example), the operation comprising: detecting a pointer element at a position over a user interface element shown on the display screen (see abstract for example); while the pointer element is positioned over the user interface element, invoking a first hover element for display on the display screen; and invoking a second hover element for display on the display screen after invoking the first hover element, and responsive to the pointer element continuing to be positioned over the user interface element (see abstract for example).

Re claim 25, Clark et al. discloses a computer readable storage medium, wherein the second hover element provides more detail regarding the user interface element relative to the first hover element (extended tool tip, see column 2 lines 32-35 for example).

Re claim 26, Clark et al. discloses a computer readable storage medium, further comprising displaying the first and second hover elements simultaneously for a period of time and while the pointer element continues to be positioned over the user interface element (see column 4 lines 28-30 for example).

Re claim 28, Clark et al. discloses a computer readable storage medium, further comprising: detecting removal of the pointer element from the position over the user interface element; and removing from display at least one of the first hover element and the second hover element upon detecting the removal of the pointer element (see column 3 lines 36-39 for example).

Re claim 29, Clark et al. discloses a computer readable storage medium, wherein the first hover element and the second hover element comprise help text specific to the user interface element (see abstract and figures 1,2 for example).

Re claim 30, Clark et al. discloses a computer readable storage medium, wherein the first hover element and the second hover element are displayed in a single text box (see figures 1 and 2 for example).

Re claim 31, Clark et al. discloses a computer readable storage medium, wherein at least one of the first hover element and the second hover element comprises information that is generated using at least one of a flash, video, audio, extensible markup language (XML) and hypertext generation tool (see column 2 lines 47-50 and line 59 for example).

Re claim 32, Clark et al. discloses a computer readable storage medium, wherein invoking the second hover element occurs after one of (i) expiration of a predefined period of time and (ii) a user input command to display the second hover element, whichever occurs first (see figure 4 for example).

Re claim 33, Clark et al. discloses a computer readable storage medium, wherein invoking the first hover element occurs after expiration of a first predefined period of time (column 1 lines 21-23 for example) and invoking the second hover element occurs after expiration of a second predefined period of time (column 2 lines36-38 and column 3 line 15 for example), wherein the first predefined period of time is shorter than the second predefined period of time and wherein expiration of both the

first predefined period of time and the second predefined period of time are calculated

from the same event (see figure 4 for example).

Re claim 34, Clark et al. discloses a computer readable storage medium,

wherein the same event is detecting the pointer element at the position over the user

interface element (see figure 4 for example).

Re claim 40, Clark et al. discloses a computer readable storage medium, further

comprising successively invoking a plurality of hover elements after invoking the second

hover element (a multimedia clip would be displaying of multiple hover elements).

Re claim 41, Clark et al. discloses a computer readable storage medium,

wherein each successive hover element of the plurality of hover elements provides

more detail regarding the user interface element relative to each previous hover

element (see column 2 line 57 for example).

Re claim 42, Clark et al. discloses a computer readable storage medium,

wherein invoking of each successive hover element occurs after one of (i) expiration of

a predefined period of time and (ii) a user input command to display the successive

hover element, whichever occurs first (see abstract and figure 4 for example).

Re claim 43, Clark et al. discloses a system, comprising:

a display screen (see figure 1, 2 for example),

a graphical user interface displayable on the display screen (see figure 1, 2 for

example);

an input device for controlling movement of a pointer element over graphical

user interface elements of the graphical user interface (mouse pointer for example); and

a hover assistance manager configured for:

detecting a pointer element at a position over a user interface element shown

on the display screen (see 35 on figure 5, see figures 1 and 2 and 4 for example);

while the pointer element is positioned over the user interface element, invoking

a first hover element for display on the display screen (see figure 1 and abstract for

example); and

invoking a second hover element (see abstract, figure 2 for example) for display

on the display screen after invoking the first hover element, and responsive to the

pointer element continuing to be positioned over the user interface element (see

abstract for example).

Response to Arguments

7.   Applicant's arguments with respect to claims 1-3, 5-11, 17-19, 24-26, 28-34, 38-

43 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jinhee J. Lee whose telephone number is 571-272-

1977. The examiner can normally be reached on M-F at 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kristine Kincaid can be reached on 571-272-2100 ext. 74. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jinhee J Lee/

Jinhee J Lee
Primary Examiner
Art Unit 2174

jjl